

By: Nelson

S.B. No. 469

A BILL TO BE ENTITLED

AN ACT

relating to the collection of unpaid tolls by a regional tollway authority.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 366.178, Transportation Code, is amended by amending Subsections (c), (d), and (e) and adding Subsection (c-1) to read as follows:

(c) If a person fails to pay a ~~[the]~~ proper toll, ~~[+]~~ ~~[(1)]~~ on issuance of a monthly notice of nonpayment, the registered owner of the nonpaying vehicle shall pay both any unpaid tolls ~~[the proper toll]~~ and an ~~[the]~~ administrative fee ~~[+]~~ ~~and~~

~~[(2) an authority may charge an administrative fee of not more than \$100 to recover the cost of collecting the unpaid toll].~~

(c-1) An authority may charge an administrative fee of not more than \$25 to recover the cost of collecting unpaid tolls. The authority may charge only one administrative fee for each notice of nonpayment that is sent to the registered owner of the nonpaying vehicle.

(d) Notice of nonpayment under Subsection (c) ~~[(c)(1)]~~ shall be sent by first-class mail. The notice shall include the tolls the registered owner of the nonpaying vehicle failed to pay during the 30-day period immediately before the date the notice is

1 sent. A notice of nonpayment [~~and~~] may not require payment of the
2 unpaid tolls [~~proper toll~~] and the administrative fee before the
3 30th day after the date the notice is mailed. [~~The registered owner~~
4 ~~shall pay a separate toll and administrative fee for each~~
5 ~~nonpayment.~~]

6 (e) If the registered owner of the vehicle fails to pay the
7 unpaid tolls [~~proper toll~~] and the administrative fee in the time
8 specified by the notice, the owner shall be cited as for other
9 traffic violations as provided by law, and the owner shall pay a
10 fine of not more than \$250 for [~~each~~] nonpayment of the tolls and
11 administrative fee included in the notice.

12 SECTION 2. Section 366.178(b), Transportation Code, is
13 repealed.

14 SECTION 3. The change in law made by this Act applies only
15 to an offense committed on or after the effective date of this Act.
16 An offense committed before the effective date of this Act is
17 governed by the law in effect when the offense was committed, and
18 the former law is continued in effect for that purpose. For
19 purposes of this section, an offense was committed before the
20 effective date of this Act if any element of the offense occurred
21 before that date.

22 SECTION 4. This Act takes effect September 1, 2011.